



Development Services

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Issaquah, WA 98027

425-837-3100

issaquahwa.gov

NOTICE OF DECISION

PROJECT NAME: KELKARI PHASES II & III

APPLICATION: Master Site Plan Amendment - **MSPA16-00001**
Binding Site Plan Amendment - **BSP16-00001**
Administrative Site Development Permit - **ASDP16-00004**

APPROVAL DATE: **September 20, 2017**

APPLICANT: David MacDuff
IS Property Investments, LLC
419 Occidental Avenue S, Suite 300
Seattle, WA 98104

REQUEST: Minor amendment to the prior approvals for Phases II & III of the Kelkari residential development. The revised proposal consists of 72 townhouse-style condominium units.

Kelkari Phases II & III was previously approved for 126 residential units as part of a Master Site Plan (MSP), Binding Site Plan (BSP) and Site Development Permit (SDP) in 1998.

LOCATION: The project is located on the north and south sides of Sunrise Place SW off Wildwood Boulevard SW, south and east of Cabin Creek. The project is west of the Foothills at Issaquah residential subdivision.

PARCEL NUMBERS: 3800900010, 3800900020, 3800900070, 3800900080, 3800900090, 3800900100

SUBAREA: Squak Mountain

COMPREHENSIVE PLAN DESIGNATION: "Multifamily Residential", by the Issaquah Comprehensive Plan

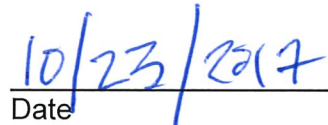
ZONING: Multifamily-Medium (MF-M)

STAFF CONTACT: Dan Martinez, Assistant Planner
Development Services Department, (425) 837-3124

DECISION

The Development Commission reviewed the proposed Master Site Plan Amendment, Binding Site Plan Amendment, and Administrative Site Development Permit for Kelkari Phases I & II; MSPA16-00001, BSP16-00001, ASDP16-00004. The Development Commission's review took place during two public hearings conducted on September 06, 2017 and September 20, 2017. After reviewing the application; project drawings and technical studies; the Staff Report dated August 14, 2017, with Attachments 1 – 6; the Briefing Response Memo dated September 14, 2017, with Attachments 1-3; and listening to representatives on behalf of the applicant, city staff, and residents of Issaquah, the Development Commission approved the Master Site Plan Amendment, Binding Site Plan Amendment, and Administrative Site Development Permit with Conditions. Approval of the land use application is based on the Findings of Fact in the Staff Report, the project materials listed above, the Conclusions in Part III below and is subject to the Conditions contained in Part IV below.


Richard Sowa, Chair
Development Commission


Date

This Notice of Decision has been executed this 23rd day of October 2017, by the Chairman of the Development Commission on behalf of and per the direction of the Development Commission.

WHEREAS, public hearings were held on September 06, 2017, and September 20, 2017, to consider Amendments to Master Site Plan, Binding Site Plan, and Site Development Permit for a multifamily project originally approved in 1998. The approved project consisted of 126 stacked-flat dwelling units. The amended project proposed 72 townhomes.

WHEREAS, the Development Commission reviewed the application on September 06, 2017 and September 20, 2017 and has had adequate time to review and reflect upon the application; and,

WHEREAS, the Development Commission is now satisfied that the application has been sufficiently considered, and hereby makes and enters the following:

FINDINGS OF FACT

The approval criteria and staff analysis in the Staff Report dated August 14, 2017, with Attachments 1-6; the Briefing Response Memo dated September 14, 2017, with Attachments 1-4; and the staff and applicant presentations at the Public Hearings on September 06, 2017, and September 20, 2017, shall serve as the Findings of Fact.

CONCLUSIONS

1. Use: The proposed multifamily development for this site (Kelkari) is a use permitted in the "MF-M" zone according to the Table of Permitted Land Uses of the Land Use Code. The approved Master Site Plan for the property, which designated multifamily use at this

location, also permits the use. Approval of the SDP; Master Site Plan; Administrative Adjustments of Standards for Parking, for Street Widths, and for Building Height; Building Permits and construction permits are required prior to construction. Site Work activity is allowed to proceed prior to MSP approval.

2. Development Standards: The project development complies with development standards for the MF-M zoning districts, including building height, pervious/impervious ratios and yard setbacks. As this property is zoned MF-M, yard setbacks are measured around the perimeter of the property.
3. Access/Street Improvements: Access to the site is acceptable. Site visibility for the street connections with Sunrise Place will be verified with Site Work and Landscape Implementing permits.
4. Traffic: The required improvements have been constructed or mitigated with Kelkari Phase I.

For Phase II, the N-S street will have a 5-foot concrete shiner along the western edge to allow for pedestrian access. This shiner will transition to a sidewalk at the northern end and continue around the open space. The dead-end sidewalk at the south street stub will continue along the north side to the southern property edge and a pedestrian path (either sidewalk or soft surface trail) will connect to the existing trail at the southern end.

5. Parking: The layout of the parking design is acceptable and the number of stalls meets the requirements of the Land Use Code. The approval of an Administrative Adjustment of Standards is necessary for those stalls that do not have the proper dimensions in the parking garages (see that section discussed in the staff report).

Each of the 72 townhomes will have two (2) standard parking stalls in individual garages. Additional visitor parking has been provided in Phase III and parallel parking will be available on the south side of Sunrise Place. Bicycle parking will be provided in each phase. Bicycle parking for the project will meet the requirements of the code.

6. Drainage/Grading: Storm drainage and grading for the project is acceptable. The final grading and storm drainage plans will need to be approved prior to the start of construction.

Condition H has been added to address some concerns identified by the City.

7. Utilities: Utilities for the Kelkari project are acceptable. The utilities for the project were constructed with the extension of Sunrise Place SW to the Foothills project.

The Minor Amendment complies.

8. Landscaping and Tree Retention: The landscaping provides good coverage around the site, softening the impact of the building from the adjacent roadways. The parking lots are also well broken up with perimeter landscaping and islands/peninsulas of size that can adequately support trees and shrubbery. The choice of landscaping materials is satisfactory. The landscaping project along the eastern side of Cabin Creek will also be an enhancement and amenity to the site.

All landscaping (except native areas) shall be irrigated as required by the Land Use Code. A cash deposit worth 50% of the value of the landscaping material will also be required to be posted with the City prior to receipt of a temporary or final Certificate of Occupancy.

The previous approval apparently did not consider tree retention. The trees have been removed from the Phase II site with the development of Kelkari Phase I. However, Phase III is currently a forested site. Although the applicant has shown preservation of a large cedar in Phase III, no information has been provided. The Minor Amendment shall comply with the Issaquah Municipal Code (IMC) 18.12.1385(A). Tree Replacement calculations shall be included with the Landscape Permit submittal. A good faith effort should be made to meet IMC 18.12.1390.

9. SEPA: The environmental impacts of this proposal have been reviewed according to the WA State Environmental Policy Act (SEPA). The Draft Environmental Impact Statement was issued April 23, 1996; the Final Environmental Impact Statement was issued July 31, 1996. Upon submittal for the Amendments, the City issued a Determination of Nonsignificance (DNS) on December 7, 2016; and an update was issued on January 10, 2017.

Impact Fees will be required with permit issuance, as conditioned.

An Environmental Checklist and compliance with the WA State Environmental Policy Act is required prior to approval of the Minor Amendment. The SEPA decision, SEPA Checklist, and Staff Evaluation are included as Attachment 2 of the Staff Report.

10. Site Design: The design and layout of the buildings, parking area and site improvements are acceptable.

The Minor Amendment generally contains the development in the same areas of the site as the previous approval.

11. Building Design: The buildings are attractively designed and are complimentary to the subject site and neighborhood. The building materials and colors for the project are also acceptable. The colors and materials chosen are natural-like and muted/earth tones and should not stand out significantly when viewed from a distance.

Buildings are designed as "National Lodge" style, according to the applicant. The buildings have used materials which will appear the same (e.g. hardie board instead of wood to reduce maintenance) and the same details, scaled for the reduced building size. The applicant has provided a style guide showing the range of massing and details in the original buildings, and how they have been applied to the proposed buildings.

12. Signs: The signs for Kelkari are attractively designed and meet requirements for size and height. Setbacks for the two signs will need to be met. A Sign Permit will need to be issued before installation of additional signs.

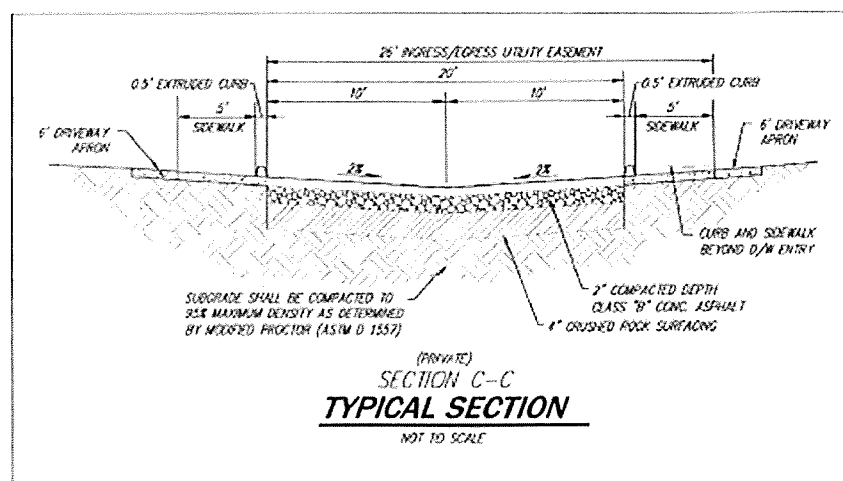
No additional project signs have been proposed. The applicant has proposed to relocate the existing Kelkari sign. Any desired signs, new or relocated, will require a sign permit prior to installation.

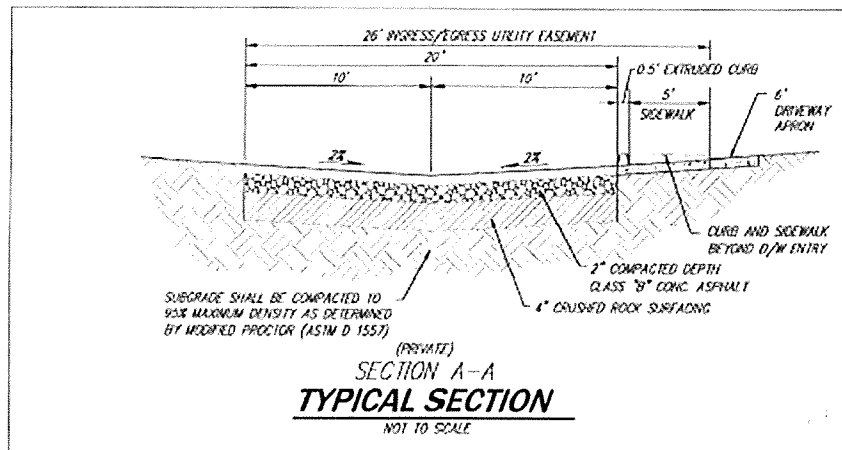
13. Exterior Illumination: Lighting for the project is acceptable. Exterior lighting is proposed to be consistent with the exterior lighting provided for Kelkari Phase I.
14. Dumpster Enclosure/ Recycling: No trash enclosures are proposed. Each unit will have individual trash containers.
15. Building Height and Street Deviations: The proposed building height of the amended submittal is 45 feet.

The applicant has requested two (2) deviations from standard City streets (see below). The proposal would reduce the travel lanes to 10 feet, remove sidewalk from one side in places and remove the required planting strip where there is a sidewalk. Pursuant to the City Street Standards, a deviation may be considered if it meets the following criteria:

- a) The deviation will achieve the intended result in equivalent or superior design; and
- b) The deviation addresses public safety and operation; and
- c) The deviation will not adversely affect how well the surrounding nearby public facilities can be maintained.

By reducing the size of these local streets, the internal circulation routes for Kelkari Phases II and III will encourage slower speeds and help to reduce the amount of impervious surfaces on the site. With slower speeds, the need for a landscape strip is lessened, but there will be a loss of street trees with this deviation. A condition will be added in a subsequent section of this document to address this. In addition, there will need to be additional sidewalks to ensure pedestrian connectivity, a condition will be added. Finally, extruded curbing is not a durable solution and will be replaced by poured-in-place curbing or bollards. Final design will be included in the Site Work Permit.





In addition, the applicant has proposed a deviation for Sunrise Place SW. The applicant is requesting to retain the 28-foot-curb-to-curb, parking one side and two (2) 5-foot wide sidewalks. The City believes this existing section meets the needs of the neighborhood and is supportive of the requested deviation.

16. Public Information:

- a) Notice of Application of the Minor Amendment was issued and distributed on 15 April 2016.
- b) The property was posted in June 2016.
- c) Notice of the Development Commission Hearing was published in the Issaquah/Sammamish Reporter on 25 August 2017.
- d) Notice of the Development Commission Hearing was distributed to Parties of Record and property owners within 300 feet on 21 August 2017.
- e) Responses to public comments is provided in Attachment 5 of the Staff Report.

APPEALING THIS DECISION

This decision can be appealed. A Closed Record appeal of this decision shall follow the procedures set forth in IMC 18.04.250 (Administrative appeals) of the Land Use Code, and shall be heard by the City's Hearing Examiner. A letter of appeal shall include the reason for the appeal and a \$518.26 filing fee, which is required of appeals. All appeals shall be filed with the Development Services Department by 5:00 PM on November 6, 2017.

For further information on the appeal procedure or if you have any questions regarding this Notice of Decision, please contact the Staff Contact noted in Section I.

Final decisions shall be valid for three (3) years from the Approval Date in the Notice of Decision and can be extended by the Director if all the criteria set forth in IMC 18.04.220 (D)(1) (a) to (d) are met by the Applicant, or as long as there is an active Construction Permit for the project. Construction projects that have received Final Certificate of Occupancy are no longer considered active.

CONDITIONS OF APPROVAL

1. The traffic impact fee was paid.
2. School impact fees were paid for Phase I (63 units). School Impact fees will be required for the 72 units of Phases II and III, pursuant to City Code. (See 3 below)
3. Impact fees will be required as follows:
 - Fire: \$336.00 per unit
 - School: \$2,386 per unit
 - Parks: \$1,254.71 per unit
 - Police: \$163.01 per unit
4. Kelkari shall be fully responsible for the following required mitigation:
 - a) Additional easement areas or dedications shall be made to the City as may be required during final design stage to ensure adequate line of sight is provided at all intersections and junctions of the roadway system.
5. The applicant shall maintain a minimum buffer of 10 feet from the top/toe of all steep slopes plus maintain a minimum building setback of 15 feet from the slope buffers. Native Growth Protection Easement signs which are for the identification of protection of steep sloped areas shall be placed at steep sloped areas as required by the City. Man-made steep slopes may be regraded pursuant to City Code. Buffers for steep slope critical areas, including protection easements and signage is governed by IMC 18.10.
6. Prior to issuance of a Building Permit, the applicant shall establish a mechanism acceptable to the City which notifies future buyers of the apartment/condominium units or lots that the steep slope buffers were reduced and that development has occurred within 50 feet of a steep slope. The applicant shall execute an agreement that indemnifies and holds the City harmless for development within 50 feet of the steep slopes.
7. A Building Permit and a Public Works construction permit shall first be issued prior to construction of the project, unless otherwise approved by the Director.
8. Prior to issuance of the Building Permit, the Public Works Department shall approve the final design of the storm water system.
9. Textured concrete shall not be placed across Sunrise place, unless it is determined necessary as a visual cue for the pedestrian crossings. Other means such as pedestrian crossing signage should be explored.
10. All compact and accessible parking stalls shall be appropriately labeled.
11. All significant trees within the vicinity of site construction that are proposed to be saved, shall be protected in accordance with Section 18.12.141 (Tree Plan Requirements) of the Land Use Code. Those measures may include but are not limited to fencing around trees.
12. The area north of Building 3 between the trail and the slope of Cabin Creek and the area between Buildings 4 and 6 and portion of the periphery of Buildings 9 and 10 shall be

landscaped more extensively. Additional riparian landscaping shall also be placed in the wetland buffers.

13. All landscaping shall be irrigated as required by Chapter 18.12.050 of the IMC.
14. Any changes or substitutions to the landscaping shall be approved first by the Development Services Department before being implemented.
15. A cash deposit or other acceptable surety worth 50% of the value of the landscaped material shall be posted with the City prior to receipt of a temporary or final Certificate of Occupancy, as required by Chapter 18.12.160(A) of the IMC.
16. A Sign Permit shall be required to be issued by the City prior to relocation of the monument sign. The proposed monument sign shall also have a minimum 2-foot setback from the property line. Safe sight distance must also be met.
17. The locations and design of the bicycle racks shall be provided with the Building Permits. Bike racks shall be included in Phases II and III as part of the common area improvements. These racks need not accommodate 32 bicycles, but sufficient quantity (7 per phase) shall be provided for guests and the convenience of residents. This requirement will be reviewed with the Building Permits.
18. Details of the lighting fixtures and standards shall be provided with the building permit.
19. All common use facilities such as recreational facilities, garbage and recycling collections areas, mailbox locations, foyers and management office shall be accessible, as required by WAC 1103.1.8.1. In addition, advance warning demarcation is required at curb handicap ramps.
20. The following conditions shall be implemented as required by the Police Department:
 - a) The buildings and units should contain a highly visible and lighted address identifier for nighttime identification for emergency responders (6-inch minimum).
21. The following conditions shall be implemented as required by the Fire Department:
 - a) The buildings shall be fully sprinkled. If required by City Code.
 - b) Portable fire extinguishers will be required. If required by City Code
 - c) Storz fittings will be required on fire hydrants and before any combustible materials are placed on site.
 - d) Fire lanes are to be painted red with white letters stating, "Fire Lane No Parking".

NEW CONDITIONS

- A. Increase the modulation in the building fronts from 2 feet to 3 feet. (IMC 18.07.440.D.2.b.)
- B. Buildings will be a minimum of 10 feet from Sunrise Place.
- C. The relocated project signage is not approved as part of this permit approval and shall require a separate sign permit.

- D.** Continue the sidewalk along the west side of Phase III to connect to Sunrise Place. The additional impacts to critical areas may be mitigated through the planting of additional vegetation in the surrounding area.
- E.** In lieu of street trees on the private roads serving Phases II and III, an equivalent number of trees shall be planted on the property. This calculation shall be provided with the submittal of the landscape plans.
- F.** Each garage will be large enough to accommodate two (2) standard-size (8-1/2' x 18') parking spaces and have room for waste bins, and any heating or other mechanical devices. This condition will be verified with Building Permit review.
- G.** Tree replacement calculations to meet the Tree Retention requirements shall be provided with the Landscape Permit. Calculations will be included in the landscape plans to demonstrate compliance.
- H.** The Table on Page 4 of the Briefing Response Memo identified the project as vested to prior stormwater approvals. However, the City has identified some downstream concerns. The applicant has agreed to work with the City on potential solutions to these concerns. The project will address the downstream systems that may be directly impacted by the development or propose alternate solutions for discharge location/methods. This condition will be implemented as part of the final review of the stormwater TIR.
- I.** All internal roadways will be private.
- J.** Continue the Phase II sidewalk at the southern end to the southern property line and provide a pedestrian connection to the existing trail.
- K.** City wet utility easement locations will be reviewed and approved as part of the final BSP review.
- L.** Building colors will match those of Kelkari Phase I. colors will the earth tone - no brighter colors shall be allowed.
- M.** The wall supporting building eight (8) will be no taller than 10 feet. The applicant may build a terraced combination of walls in this location with room between walls to plant evergreen trees. To accomplish the terracing of walls, the BSBL may be reduced from 15 feet to 10 feet.

Additional geo-technical and engineering review will occur to ensure the design of the wall(s) have adequately considered the amount of groundwater present in this location.

- N.** No construction traffic will be allowed to use the cul-de-sacs on Sunrise Place or 1st Place as turn-arounds. This condition will be placed on the Site Work and Building Permits.